

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

CITIZEN POTAWATOMI COMMUNITY)	
DEVELOPMENT CORPORATION,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-24-00662-JD
)	
NATHAN O. BEAUCHAMP, et al.,)	
)	
Defendants.)	

ORDER

Before the Court is the Motion to Remand (“Motion”) filed by the U.S. Small Business Administration (“SBA”) [Doc. No. 35]. The Motion was filed on April 4, 2025, and the Court received no timely responses objecting to the remand. *See* LCvR7.1(g); *see also* Motion ¶ 4 (“At the meeting to discuss the Status Conference Memorandum and Discovery, all parties to the meeting agreed that a remand was in the best interest of justice and economy; thereby agreeing with the dismissal of the SBA as a party defendant.”).

Plaintiff Citizen Potawatomi Community Development Corporation amended its complaint,¹ and the SBA is no longer a party to these proceedings, which was the only basis asserted for this Court’s jurisdiction. *See* SBA’s Notice of Removal [Doc. No. 1] (citing 28 U.S.C. § 1442(a)(1)). “When a petition is amended, the cause proceeds on the amended petition. So changes in parties, or changes in claims, effectively remake the suit.

¹ The Court deemed the complaint amended in its Order, and the First Amended Complaint is now the governing complaint in this action. *See* [Doc. Nos. 37, 38].

And that includes its jurisdictional basis: The reconfiguration accomplished by an amendment may bring the suit either newly within or newly outside a federal court's jurisdiction." *Royal Canin U. S. A., Inc. v. Wullschleger*, 604 U.S. 22, 35 (2025) (internal citation and quotation marks omitted).

With the SBA no longer a party to the action, the suit is outside this Court's jurisdiction. Consequently, the Court lacks subject-matter jurisdiction and remands the action under 28 U.S.C. § 1447(c) to the District Court of Pottawatomie County, State of Oklahoma, Case No. CJ-2024-00141, for further proceedings. The parties shall bear their own attorneys' fees, costs, and expenses related to the removal and remand.

IT IS SO ORDERED this 1st day of May 2025.

A handwritten signature in black ink, appearing to read "Jodi W. Dishman", is written over a horizontal line.

JODI W. DISHMAN
UNITED STATES DISTRICT JUDGE